

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 30.05.2019****CORAM:****THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN****W.P. [MD] No. 11233 of 2019****WEB COPY**

1.N.R.Jawaharlal

2.N.M.Ravi Baskar

3.N.P.Sivakumar

: Petitioners

Vs.

1. State of Tamil Nadu Rep. by its Secretary,
Adi Dravidar and Schedule Tribe Welfare Department,
Secretariat, Chennai - 600 009.

2. The District Collector,
Dindigul District,
Dindigul - 624 001.

3. The District Revenue Officer,
District Collector Office,
Dindigul - 624 001.

4. The District Adi Dravidar Welfare Officer,
District Collector Office,
Dindigul - 624 001.

5. The Special Tahsildar, (ADW),
Nilakottai,
Taluk Office Complex,
Nilakottai, Dindigul District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus directing the first and second respondents to pass appropriate orders by considering the representation, dated 28.03.2019 for change of classification from 'Adi Dravidar Natham' and to issue patta in favour of the petitioner with regard to 1 Acre 48 cents in Survey Ward C, Block 4, T.S.No.61/1 of Vilapatti Village, Kodaikanal Taluk, Dindigul District within a time frame as stipulated by this Court.

For Petitioner

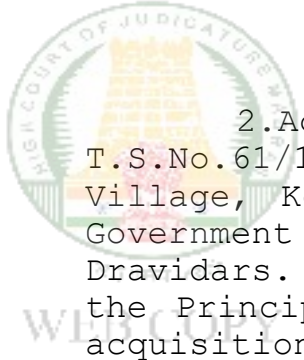
: Mr.R.Anbarasu

For Respondents

: Mr.M.Rajarajan

Government Advocate

O R D E R



2. According to the writ petitioners, their property in T.S.No.61/1 measuring an extent of 1.48 Acres situated in Vilapatti Village, Kodaikanal Taluk, Dindigul District, was acquired by the Government for the purpose of providing house sites to Adi Dravidars. Challenging the same, writ petitions were filed before the Principal Bench of this Court. By order dated 18.11.1996, the acquisition proceedings were quashed. It is not in dispute that the order dated 18.11.1996 made in W.P.No.9571 of 1986 had become final, because no appeal was filed questioning the same.

3. In the meanwhile, revenue records were changed as Adi Dravidar Natham. Seeking re-classification, the petitioners filed W.P.(MD)No.5907 of 2018. This Court by order dated 20.03.2018, directed the Special Tahsildar, Adi Dravidar Welfare, Nilakottai, to pass orders on the petitioners' application. Pursuant to the direction given by this Court, the Special Tahsildar by order dated 02.07.2018, informed the petitioners that only after getting permission from the Government, there can be re-classification. Therefore, the petitioners have been constrained to file this writ petition.

4. When the acquisition proceedings were quashed by this Court and the same had become final, whatever changes that were made in the revenue records ought to abide by the outcome of the writ proceedings, it is not open to the authorities to take a stand that only after getting permission from the Government, re-classification will be made. Therefore, this Court directs the respondents 1 and 2 to change the classification of the land in question from Adi Dravidar Natham into the name of the petitioners and issue patta in their favour. The entire exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.

5. The writ petition is allowed. No costs.

sd/
Assistant Registrar(crl.side)/
Vacation Officer

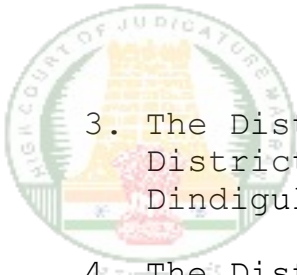
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Sub Assistant Registrar

To

1. The Secretary,
Adi Dravidar and Schedule Tribe Welfare Department,
Secretariat, Chennai - 600 009.

2. The District Collector,
Dindigul District,
Dindigul - 624 001.



3. The District Revenue Officer,
District Collectorate Office,
Dindigul - 624 001.

4. The District Adi Dravidar Welfare Officer,
District Collectorate Office,
Dindigul - 624 001.

5. The Special Tahsildar, (ADW),
Nilakottai,
Taluk Office Complex,
Nilakottai, Dindigul District.

+1 CC to Mr.S.R.ANBARASU, Advocate (SR-66419[F] dated 30/05/2019)
+1 CC to SPL GP (SR-66674[F] dated 31/05/2019)

Order made in
W.P.[MD]No.11233 of 2019
30.05.2019

ry2

_MK (12.06.2019) 3P 8C